

SENATE BILL 3514
By Jackson

AN ACT to amend Chapter 158 of the Private Acts of 1973; as amended by Chapter 309 of the Private Acts of 1974; and any other acts amendatory thereto, relative to probate jurisdiction in Giles County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 158 of the Private Acts of 1973; as amended by Chapter 309 of the Private Acts of 1974, is further amended by deleting from SECTION 5 the following:

, and all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 16, Chapter 7, upon the county judge or chairman of the county court as a judicial officer in probate.

With respect to the judicial jurisdiction transferred by this section from the County Judge to the Court of General Sessions, the books, records, accounts, papers and documents pertaining to such judicial matters formerly under the jurisdiction of the County Judge shall remain in the custody and shall be the responsibility of the County Court Clerk and such Clerk shall continue to have and perform the clerical functions with respect to such judicial matters.

and substituting instead the following:

Effective July 1, 2004, probate jurisdiction in Giles County shall be transferred from the Court of General Sessions to the Chancery Court. On such date, all books, records, accounts, dockets, papers and documents pertaining to probate matters in the possession of the General Sessions Court or the County Clerk shall be transferred to the Probate Court and Clerk and Master, respectively.

Pursuant to Tennessee Code Annotated, Section 18-6-106, effective July 1, 2004, the Clerk and Master shall serve as the clerk for all matters pertaining to probate

in Giles County and, on such date, the County Clerk shall no longer serve as clerk over probate matters in such county. On July 1, 2004, all new documents and actions pertaining to probate matters in Giles County shall be filed with the Clerk and Master.

The General Sessions Court and the County Clerk shall retain jurisdiction over all probate matters until June 30, 2004, and shall continue cases pending on that date until concluded.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Giles County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Giles County legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.